

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
BOSTON DIVISION**

Musket Research Associates, Inc.,

Plaintiff,

v.

Ovion, Inc.,
William S. Tremulis, and
Jeffrey P. Callister,

Defendants.

Case No. 05-10416 MEL

Ovion, Inc.,

Counterclaimant,

v.

Musket Research Associates, Inc.,
David B. Musket, and
Sue Ann Latterman,

Counterdefendants.

MOTION FOR LEAVE TO FILE REPLY

Pursuant to Local Rule 7.1(b)(3), Defendants respectfully request leave of Court to file a reply in support of their motion for summary judgment. Plaintiff MRA, in opposition to Defendants' motion, raised new issues not found in the First Amended Complaint or Plaintiff's interrogatory responses and submitted lengthy affidavits from David Musket and Sue Ann Latterman, and a collection of e-mails attached to the affidavit of Brooks A. Ames. In light of this Plaintiff's new argument and submissions and in view of the fact that Plaintiff has asserted nine

separate causes of action, Defendants believe it is necessary to submit a reply brief of about 35 pages and respectfully request leave of Court to do so.

Dated: March 3, 2006

By /s/ Christopher V. Carani

Leland G. Hansen

Christopher V. Carani

McANDREWS, HELD & MALLOY, LTD.

500 W. Madison Street, 34th Floor

Chicago, Illinois 60661

(312) 775-8000 (telephone)

(312) 775-8100 (facsimile)

Dale A. Malone (BBO #552376)

BANNER & WITCOFF, LTD.

28 State Street, 28th Floor

Boston, Massachusetts 02109

Telephone: (617) 720-9600

Facsimile: (617) 720-9601

*Attorneys for Defendant and Counterclaimant
Ovion, Inc. and Defendants William S. Tremulis
and Jeffrey P. Callister.*